



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

April 9, 2015

David Couch
Chairman
Kern County Board of Supervisors
1115 Truxton Avenue, 5th Floor
Bakersfield, CA 93301

Dear Mr. Couch,

I am responding to your letter of March 24, 2015 to U.S. Environmental Protection Agency Administrator Gina McCarthy regarding California's oil and gas injection well permitting program. Your letter requested EPA's assistance in ensuring a swift review of the injection well program by the California Division of Oil, Gas, and Geothermal Resources and assurance that neither EPA nor DOGGR will order the closure of additional injection wells. EPA has been working very closely with senior state officials on the matters you raise. Together we continue to make progress in ensuring that California's oil and gas underground injection program complies with state and federal requirements, so that oil and gas production does not adversely impact public health or the environment.

As you know, EPA delegated the state of California primary responsibility for implementing the Class II oil and gas underground injection control program of the federal Safe Drinking Water Act in 1983. As a part of our oversight role, EPA audited the state's Class II UIC primacy program in 2011 and identified substantial implementation deficiencies. In 2012, EPA conducted a review of aquifer exemptions that raised questions about the alignment of injection wells with EPA-approved exemption boundaries.

Since last summer, officials from the Department of Conservation, DOGGR, the State Water Resources Control Board and the Central Valley Regional Water Quality Control Board began working closely with EPA to address the state's deficiencies in implementing the Class II UIC program. These efforts focused on the identification of Class II injection wells that may be injecting into non-exempt aquifers, the state's ongoing assessment of drinking water sources that may be impacted by improper injection, and establishing an effective process for reviewing and approving aquifer exemptions in California. In a December 2014 letter, EPA directed the state to submit a Program Revision Plan by February 6, 2015.

EPA received the state's Program Revision Plan on February 6, 2015 and, based on further discussion with the state agencies, EPA issued a letter to the state on March 9, 2015 concurring with key aspects of the state's plan and setting out a schedule of required activities and deliverables. EPA's letter also included target milestones and compliance deadlines to ensure that the state continues to make progress towards full compliance with the SDWA, and meets a

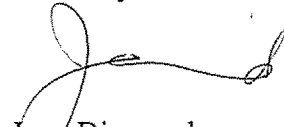
February 15, 2017 compliance deadline for Class II wells currently injecting into non-exempt aquifers. A copy of EPA's letter is enclosed.

EPA expects the State to devote the necessary resources to implement the plan. EPA has also invested additional resources to support our heightened oversight of the state and to timely process new aquifer exemption proposals. The plan includes ensuring that wells which inject into non-exempt aquifers are addressed as expeditiously as possible, with an immediate emphasis on the wells in aquifers with the highest water quality, such as those targeted by the State for shut-in or exemption by October 15, 2015. Where the state determines, after careful analysis, that injection wells are potentially impacting water supply wells, we support the state taking immediate action to cease injection in those wells.

EPA understands the critical importance of the oil and gas industry to Kern County and to the state's overall economy. We also appreciate the unprecedented challenges faced by the state in protecting and managing its water resources in response to the ongoing historic drought. We are confident that the plan developed by EPA and the state supports these objectives and will bring the state's oil and gas UIC program into compliance with the Safe Drinking Water Act.

If you have any further questions, please don't hesitate to contact me at (415) 947-8707.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jane Diamond', with a stylized flourish extending to the right.

Jane Diamond
Director, Water Division

Enclosure